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**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Virginia S. Nelson,

161 Hillock Court  
Orangeburg, South Carolina 29115.

SCDOI File Number 2003-118024

**Default Order Revoking  
Resident Insurance Agent's  
License**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2002), by the State of South Carolina Department of Insurance upon Virginia S. Nelson by both certified mail, return receipt requested, and by regular mail on May 29, 2003.

By that letter, Virginia Nelson was informed of her right to request a public hearing upon the allegations of impropriety contained within the letter against her. Further, she was warned that her failure to make a timely, written request would result in my summary revocation of her license to do business as a resident insurance agent within the State of South Carolina. Despite that warning, Ms. Nelson has failed to respond to the Department's letter. Virginia S. Nelson has failed to provide the Department with a current address in violation of S.C. Code Ann. § 38-43-107 (2002), and the United States Postal Service returned as undeliverable the letter sent by the Department. On July 7, 2003, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance agent within the State of South Carolina, Virginia Nelson was convicted by the South Carolina Circuit Court of General Sessions, Orangeburg County, of "Forgery, less than \$5,000", in The State v. Virginia S. Nelson, Criminal Docket Number 2002GS3801673.

S.C. Code Ann. § 38-43-130 (2002) provides: "The director or his designee may revoke or suspend an agent's license after ten day's notice...when it appears that an agent has been convicted of a crime of moral involving moral turpitude...." The crime of "Forgery" involves moral turpitude. In re State v. Johnson, 271 S.C. 485, 248 S.E.2d 313(1978).

In accordance with my findings of fact, and considering Ms. Nelson's failure to avail herself of her opportunity to be heard, I now conclude, as a matter of law, that Virginia Nelson was convicted of a crime of moral turpitude, and that her resident insurance agent license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.* (1991 and 2002). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (4) (2002), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore ordered that Virginia S. Nelson's license to transact business as a resident insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to her.

It is further ordered that a copy of this order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Virginia Nelson is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance agent within the State of South Carolina.

This order takes effect upon the date of my signature below.

A handwritten signature in black ink, appearing to read "E. N. Csiszar", with a long horizontal stroke extending to the right.

Ernst N. Csiszar  
Director

7 July 2003, at  
Columbia, South Carolina

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Virginia S. Nelson

161 Hillock Court  
Orangeburg, S.C. 29115

SCDOI File Number 2003-118024

**Affidavit of Default**

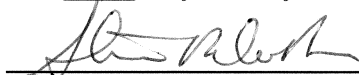
Personally appeared before me T. Douglas Concannon, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

The Department served notice on Virginia S. Nelson at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke her license to act as a resident insurance agent within the State of South Carolina in thirty days. The Department served the Notice, pursuant to § 38-3-170 of the South Carolina Code, by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." The Notice further informed Virginia Nelson of her opportunity, within thirty days, to request in writing a public hearing.

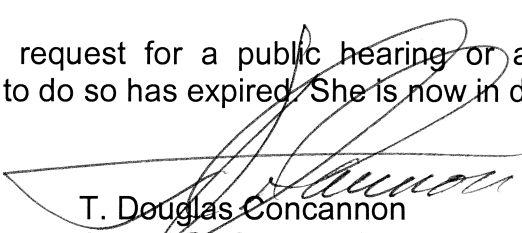
The Department mailed the Notice by certified mail, return receipt requested, and by regular mail, on or about May 29, 2003. The United States Postal Service notified Virginia Nelson of the certified letter on June 3, 9, 14 and 24, 2003. See "Exhibit A" attached. The United States Post Office at Orangeburg, S.C., then returned the certified letter to the Department, having marked it as "Unclaimed." The Notice sent via regular mail was not returned.

Virginia S. Nelson has made no request for a public hearing or any other response to the Notice. The time in which to do so has expired. She is now in default.

Sworn to and subscribed before me  
this 7 day of July, 2003.



Steven R. DuBois  
Notary Public for the State of South Carolina  
My Commission Expires: May 10, 2009



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South Carolina Department of Insurance  
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